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BY CM/ECF

Hon. Paul R. Warren
United States Bankruptcy Court
Western District of New York
100 State Street
Rochester, New York 14614

Re: *In re Diocese of Rochester*, Case No. 19-20905 (Bankr. W.D.N.Y.)

Dear Judge Warren:

I write on behalf of The Continental Insurance Company (“CNA”) in response to the Debtor’s January 20, 2023 letter (Dkt. No. 1943) requesting that the Court adjourn hearings concerning “the Claim Objections” to February 28 at 11:00 a.m., subject to further adjournment.

CNA joined 39 of the Claim Objections on September 30, 2022 (*see* Dkt No. 1733). Debtor did not, however, request CNA’s consent to the proposed hearing adjournment.

Under the present circumstances, in which the parties are engaged in settlement efforts, including attending next week’s settlement conference, and in the interest of judicial economy, CNA does not object to the hearing on the Claim Objections being continued to February 28 at 11:00 a.m., as requested by Debtor.

CNA requests, however, that it be consulted before any further adjournment requests are made, and notes that if settlement efforts are not progressing in a month’s time, CNA may object to any further adjournments of the hearing on those Claim Objections in which CNA joined. It may advance settlement efforts for the parties to know whether certain objected-to claims are going to be disallowed. Specifically, the alleged abuse described in the claims that are the subject of the Claim Objections was committed by individuals who were employed by or controlled by separate religious orders, entities, and/or schools that Debtor did not own, operate, or control. Debtor’s objections correctly assert that it is not liable for the conduct of individuals that it did not employ or control. The 39 Claim Objections that CNA joined involve such claims where the abuse that allegedly took place during the alleged CNA policy periods.

In sum, CNA does not object to Debtor’s current adjournment request, but

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reserves its right to object to any further adjournments with respect to the 39 Claim Objections in which CNA joined.

Respectfully submitted,

/s/ Mark D. Plevin

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